

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicant: **James Gharib et al.**Title: **Systems and Methods for Performing Surgery Procedures and Assessments**Docket No.: **80100.071US1**Serial No.: **10/809,280**Filed: **March 25, 2004**Due Date: **N/A**Examiner: **Unknown**Group Art Unit: **3739**

Commissioner for Patents

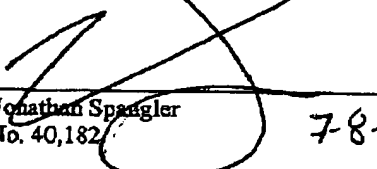
P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ A return postcard.
- ☒ An Information Disclosure Statement (2 pgs.), Form 1449 (5 pgs.), and copies of 25 cited documents.

If not provided for in a separate paper filed herewith, Please consider this a **PETITION FOR EXTENSION OF TIME** for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 50-2040.

CUSTOMER NUMBER 30,328
(858-527-1936)By: 
Atty: Jonathan Spangler
Reg. No. 40,182

7-8-04

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Andrew J. Kaul
Name
Signature



10/809,280

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	James Gharib et al.	Examiner:	Unknown
Serial No.:	10/809,280	Group Art Unit:	3739
Filed:	March 25, 2004	Docket:	80100.071US1
Title:	Systems and Methods for Performing Surgery Procedures and Assessments		

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 50-2040 in order to have this Information Disclosure Statement considered.

Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2) and has included for the examiner's consideration copies of International Search Reports for the following PCT applications: PCT/US00/32329, PCT/US01/18606, PCT/US01/18579, PCT/US02/22247, PCT/US03/02056, PCT/US/02/35047, and PCT/US02/30617 which are also list on the 1449 form enclosed herewith.

INFORMATION DISCLOSURE STATEMENT

Serial No: 10/809,280

Filing Date: March 25, 2004

Title: Systems and Methods for Performing Surgery Procedures and Assessments

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The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

JAMES GHARIB ET AL.

By their Representatives,

CUSTOMER NUMBER 30,328

858-527-1936

Date

July 8, 2004

By


Jonathan Spangler
Reg. No. 40,182

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Complete if Known

Application Number 10/809,280

Filing Date March 25, 2004

First Named Inventor Gharib, James

Group Art Unit 3739

Examiner Name Unknown

Sheet 1 of 5

Attorney Docket No: 80100.071US1

US PATENT DOCUMENTS

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
	US-20020007129	01/17/2002	Marino, J. F.	600	546	06/08/2001
	US-20020072686	06/13/2002	Hoey, M., et al.	600	547	05/18/2001
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DATE CONSIDERED

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STATEMENT BY APPLICANT**

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Application Number	10/809,280
Filing Date	March 25, 2004
First Named Inventor	Gharib, James
Group Art Unit	3739
Examiner Name	Unknown

Sheet 2 of 5

Attorney Docket No: 80100.071US1

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	US-5,092,344	03/03/1992	Lee, T.	128	741	11/19/1990
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EXAMINER

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Substitute Disclosure Statement Form (PTO-1449)

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**INFORMATION DISCLOSURE
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Application Number 10/809,280**Filing Date** March 25, 2004**First Named Inventor** Gharib, James**Group Art Unit** 3739**Examiner Name** Unknown

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Attorney Docket No: 80100.071US1

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Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	T ²
	WO-0066217A1	11/09/2000	Epstein, R., et al.	A61N	1/36	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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First Named Inventor	Gharib, James
Group Art Unit	3739
Examiner Name	Unknown

Sheet 4 of 5

Attorney Docket No: 80100.071US1

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		"System and Methods for Determining Nerve Direction to a Surgical Instrument", <u>International Search Report</u> , International Application No. PCT/US03/02056, (August 12, 2003), 5 pages	
		"Systems and Methods for Performing Percutaneous Pedicle Integrity Assessments", <u>International Search Report</u> , International Application No. PCT/US02/35047, (August 11, 2003), 5 pages	
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Sheet 5 of 5

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